

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

DANYEL GOODFELLOW,

Plaintiff,

v.

BNSF RAILWAY COMPANY,

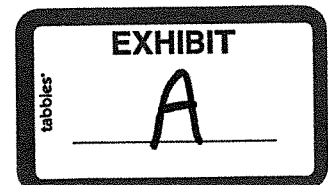
Defendant.

Case No:

PETITION

COMES NOW plaintiff Danyel Goodfellow, by and through counsel, Corbett Law Firm, P.C., and for her cause of action against defendant BNSF Railway Company. states and alleges as follows:

1. Jurisdiction and venue for this cause of action lie in the Circuit Court of Greene County, Missouri, for the reason that the incident referred to herein occurred in Greene County, Missouri.
2. On September 28, 2014, Plaintiff was operating a motorcycle south on Route AB in Greene County, Missouri, when she lost control on the railroad track crossing owned by defendant, causing her to wreck.
3. Defendants' track crossing was in a dangerous condition in that:
 - (a) There was a drop off between the track and the roadway;
 - (b) The crossing was not level;
 - (c) There was more than a 1 inch change in elevation between the track and the roadway.
4. The dangerous condition of defendant's track exposed persons crossing or



attempting to cross the tracks to an unreasonable risk of injury.

5. Defendant knew, or could have known, of the dangerous condition of its tracks prior to Plaintiff's wreck.

6. As a result of the dangerous condition of Defendant's crossing, plaintiff sustained the following damages:

- (a) Past, present, and future expenses for medical supplies, medicine, and the services of physicians, nurses, hospitals, pharmacists, physical therapists, and other health care providers and related medical expenses;
- (b) Injury to her left shoulder and collar bone;
- (c) Injury to her left ribs;
- (d) Injury to her neck;
- (e) Injury to her head;
- (f) Road rash;
- (g) Loss of household contributions.

WHEREFORE plaintiff Danyel Goodfellow prays for judgment against defendant in such sum as is fair and reasonable, interest at the legal rate from the date of judgment, for her costs of action incurred herein, and for such other and further relief as is just and proper.

CORBETT LAW FIRM, P.C.

DANIEL P. MOLLOY #58871
2015 East Phelps Street
Springfield, MO 65802
(417) 866-6665 (FAX) 866-6699
dmolloy@corbettlawfirm.com
Attorney for Plaintiff